

UNITED STATES DEPARTMENT OF COMMERCE

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FIRST NAMED INVENTOR ATTORNEY DOCKET NO. APPLICATION NO. **FILING DATE** В P54596 06/13/97 LEE 08/876,179 **EXAMINER** Г MM91/0427 GUSHI,R ROBERT E BUSHNELL ART UNIT PAPER NUMBER ATTORNEY-AT-LAW SUITE 300 2833 1522 K STREET, N.W. WASHINGTON DC 20005-1202 **DATE MAILED:** 04/27/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks







Advisory Action

Application No.

Applicant(s) 08/876,179

Examiner Gushi, Ross Group Art Unit

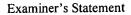
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THE PERIOD FOR RESPONSE: [check only a) or b)]
a) X expires3 months from the mailing date of the final rejection.
b) expires either three months from the mailing date of the final rejection, or on the mailing date of this Advisory Action, whichever is later. In no event, however, will the statutory period for the response expire later than six months from the date of the final rejection.
Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.
Appellant's Brief is due two months from the date of the Notice of Appeal filed on (or within any period for response set forth above, whichever is later). See 37 CFR 1.191(d) and 37 CFR 1.192(a).
Applicant's response to the final rejection, filed on <u>Apr 17, 2000</u> has been considered with the following effect but is NOT deemed to place the application in condition for allowance:
☐ The proposed amendment(s):
will be entered upon filing of a Notice of Appeal and an Appeal Brief.
will not be entered because:
they raise new issues that would require further consideration and/or search. (See note below).
they raise the issue of new matter. (See note below).
they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.
they present additional claims without cancelling a corresponding number of finally rejected claims.
NOTE:
Applicant's response has overcome the following rejection(s):
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Newly proposed or amended claims would be allowable if submitted in a separate, timely filed amendment cancelling the non-allowable claims.
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Applicant's arguments have been considered but are not found persuasive. Applicant argues that Yumibe teaches away from the previously proposed combination. The examiner disagrees. Extolling the virtue of one type of connector, as Yumibe does, does not teach away from also using a different type connector. In re Dance, 48 USPQ.2d 1635, 1638 (Ct. App. Fed. Cir. 1998).

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